

New law prohibits persons from misrepresenting the geographical location of a business or supplier of a service or product by listing a fictitious business name or an assumed name in the classified advertising section of a telephone directory or other directory database. Provides that a person has misrepresented the location if any of the following exist:

- (1) The business or supplier is not located within the geographical area covered by the directory.
- (2) The listing fails to identify the true physical address, including the municipality and state, of the location of the business or supplier.
- (3) Calls to a number listed in a directory or database are routinely forwarded or transferred to a location that is outside the calling area covered by the directory or database in which the number is listed and the person has not identified the true physical address of the geographical location of the business or supplier.
- (4) The location of the business or supplier is in an area that is not contiguous to an area covered by the directory or database in which the number is listed.
- (5) The listing contains a fictitious name or assumed name.

New law exempts local telecommunication carrier customers using permissible services, including remote call forwarding or foreign exchange.

New law allows a business or supplier to place a directory listing for a business which indicates that it is located in a geographical location that is different from the area in which the business is located if a conspicuous notice in the listing states the municipality and state in which it is located. Relieves telephone companies and directory providers from liability in publishing the listing of a fictitious or assumed business name or a listing misrepresenting a geographic location of a business or supplier unless the directory provider is the same as the business or supplier who has committed the deceptive act.

New law provides that violations are deceptive and unfair trade practices are subject to all penalties provided for in the Unfair Trade Practices and Consumer Protection Act which contains existing law penalties including injunctive relief, civil fines in the amount of \$5,000 per violation, compensation to aggrieved parties, and rights of private action.

Effective August 15, 1999.

(Adds R.S. 51:1420)